

ECF TRANSCRIPTION SHEET



ANDREW J. PECK
UNITED STATES MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT
Southern District of New York
United States Courthouse
500 Pearl Street, Room 1370
New York, N.Y. 10007-1312

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Dated: November 13, 2017

Total Number of Pages:

MEMO ENDORSED:

1. Document discovery deadline extended to 2/1/18.
2. The 11/15 conf is adjourned at the parties request to 11/27/17 at 2PM.

Copies **by ECF** to: All Counsel
Judge Keenan



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November 13, 2017

Honorable Andrew J. Peck
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007-1312

Re: *BSGR v. Soros, et al.*, Civil Action No. 1:17-cv-02726 (JFK) (AJP)

Dear Judge Peck:

The parties to the above-referenced action have agreed as between themselves, and hereby respectfully request of the Court, the following modification to the current document discovery schedule and a brief adjournment of the status conference before the Court scheduled for November 15, 2017. This is the parties' first request to adjourn the discovery schedule and third request for hearing adjournment on consent. This request is not intended by either party as a means to delay or defer document discovery in this matter, which is ongoing.

First, the parties have agreed, subject to Your Honor's approval, to a 60-day extension of the deadline for completing document discovery, from December 1, 2017 until February 1, 2018. The parties request that the Court order this extension as both Plaintiffs and Defendants agree that due in part to the complexity of the litigation and the number of parties (including third parties) involved in the parties' claims and defenses, it will be difficult if not impossible for them to comply with the December 1 deadline. For example, (1) both Plaintiffs and Defendants have document requests to third parties pending or are in the process of issuing such requests to third parties located both domestically and abroad, some of which are in the nature of letters rogatory or the equivalent; (2) both Plaintiffs and Defendants are reviewing hundreds of thousands of documents that resulted from the application of their agreed-upon search terms, which the parties are in the process of amending; and (3) as the Court is aware, some of the third parties subpoenaed in the action declined to produce documents until the last few weeks due to the pending objection to the scope of the Protective Order. The parties further note that deposition discovery is currently stayed by order of Judge Keenan.

Second, the parties have agreed to seek to adjourn the discovery conference before Your Honor that is scheduled for November 15, 2017, to allow them additional time to attempt to resolve some of the more granular issues that have been raised by the discovery that has been produced to date, much of which has been received within the last few weeks. As noted above, the parties are in the process of amending their search terms and will need to run test searches and other diligence in the coming days before those amendments can be resolved. Further, the parties have

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SO ORDERED:

Hon. Andrew Jay Peck
United States Magistrate Judge

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raised by letter and other communication various issues relating to both sides' objections to various discovery requests, many of which objections the parties believe may be resolved without the Court's intervention if given additional time for the parties to meet and confer. Finally, a number of third parties subpoenaed by Plaintiffs have objected to producing documents on the basis of sovereign immunity and other privileges. Plaintiffs intend to challenge the application of one or more of these privileges at the discovery conference, but require the additional time to provide notice to those entities of the basis for Plaintiffs' objections and allow those entities time to respond. The parties therefore request an adjournment of the November 15 conference to the week of November 27, or as is otherwise suitable for the Court.

For the above reasons, the parties jointly agree to and respectfully ask this Court to order the relief set forth above.

Respectfully,



Louis M. Solomon

cc. Counsel of Record